

**REMARKS**

In response to the Office Action dated February 2, 2007, Applicants have amended claim 10, 12, 13, and 15 and canceled claim 11. Reconsideration of the rejections and objections set forth in the Office Action is respectfully requested. Applicants submit that the claims are in condition for allowance.

***Specification***

The Examiner objected to the specification. The specification has been amended to overcome these objections.

***Claim Rejections - 35 U.S.C. § 112***

The Examiner has rejected Claims 10-15 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the patent.

In response, Claims 12, 13, and 15 have been amended to depend off independent claim 10.

In light of these amendments, Applicant has overcome the Examiner's 35 U.S.C. §112 rejections. Thus, the Examiner is respectfully requested to withdraw these rejections with respect to Claim 10-15.

***Claim Rejections - 35 U.S.C. § 103***

The Examiner has rejected Claims 10, 11, 13, and 15 under 35 U.S.C. § 103 as being unpatentable over Baskin (US Pat 4,956,030), Yukawa et al. (US Pat 5,568,508) or UK reference 1,127,296.

Pending claim 10 includes the limitation according to which the separation of the second layer of PE-coated paper from the panel is carried out by lifting and removing the second layer of polyethylene-coated paper substantially in a single piece, leaving the panel with an antique-look surface in view. As the paper is removed in one piece, leaving visible irregularities and small cavities, protuberances, cracks on the outer surface of the slab.

In all of the cited prior art references, the PE-coated paper layer performs another function, i.e. to protect the outer surface of the panel or slab. In other words, the layer of PE-coated paper is placed on the outer surface of the slab or panel to protect it against scratches and it is removed only when the panel is to be used. None of the several cited prior art references discloses a use of the PE-coated paper for imparting to the outer surface of the slab or panel an antique-like appearance.

As discussed in the specification, it has to be noted that the second layer of polyethylene paper has the only aim of preventing the agglomerate mix to adhere to the head of the press during the pressing step, and this second layer is actually removed at the end of the process, in particular when the panel comes out of the oven where it is hardened at a predetermined temperature. That's why the prior art methods provide for a removal of this PE-coated paper layer by grinding, i.e. by using a destructive but fast method for removing the paper layer.

Additionally, another limitation has been added to claim 10 that is required to fully perform the method of the pending claims, namely the necessary step of polishing the outer surface of the slab or panel immediately after removal of the PE-coated paper. This limitation is important step of the method, and is supported by the description as originally filed, see page 4, line 31 of the PCT publication. This limitation enables the antique looking surface to be maintained. When visible irregularities and cracks are present on the outer surface of the slab, it is required to immediately polish said surface, so as to fill up the pores.

None of the cited prior art reference discloses such a method. Additionally, there is no teaching or suggestion about placing and removing a sheet of PE-coated paper on a slab in order to obtain an antique-look surface which is not painted (as reported by some of the cited

references) but provided with real irregularities, therefore small cavities, protuberances, cracks and so on. For example, in the Baskin reference, when the film 7 is removed the outer surface of the substrate is smooth, having the external high gloss mirror smooth finish of the inner surface of the film 7 (see col. 4, lines 60-65).

When the second layer of PE-coated paper is placed on the agglomerate mix according to the pending claims, this has the purpose of avoiding the mix to stick to the head of the press. When the press has finished its work, the die is transferred to an oven where the agglomerate mix is hardened, and during this hardening step the mix is not subjected to a pressure on the paper layer and carries out some expanding movements due to the curing of the resin.

Thus, since the Baskin, Yuwaka et al, and UK '296 procedures do not disclose a process of substantially removing the PE-layer to create irregularities in the surface and then polishing the surface to maintain antique surface, one skilled in the art would not find claim 10 obvious. Additionally, dependent claims 12, 13, and 15 are not obvious for the same reasons.

In light of these arguments, Applicant has overcome the Examiner's 35 U.S.C. §103 rejections. Thus, the Examiner is respectfully requested to withdraw these rejections with respect to Claims 10, 12, 13, and 15.

*Conclusion*

Applicants have complied with all requirements made in the above referenced communication. Applicants submit that the present application is in condition for allowance, and therefore, respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 58009-019000 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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